

EXHIBIT 6:

PLAINTIFFS' FIFTH SET OF INTERROGATORIES

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

THEODORE CHAPDELAIN, et al.

v.

PETER NERONHA, et al.

C.A. No. 2015-450-JJM-LDA

**PLAINTIFFS' FIFTH SET OF INTERROGATORIES TO DEFENDANTS
RELATING TO AMENDED LAW EFFECTIVE 7/1/2020**

Plaintiffs, by their undersigned counsel, hereby propound the following interrogatory to be answered in writing under oath, within thirty (30) days as provided by Rule 33 of the Federal Rules of Civil Procedure, or such other time as agreed by the parties or ordered by the Court.

Definitions:

- a. "SORNA" means Sexual Offender Registration and Community Notification Act of the State of Rhode Island, R.I.Gen.Laws chapter 11-37.1, effective July 1, 2020.
- b. "Registrant" means an individual who is required to register as a sex offender (including the individual plaintiffs and the proposed class), and assigned to "tier" or "level" 3 and is therefore subject to §11-37.1-10(d), effective July 1, 2020.
- c. "2020 Restriction" means the prohibition contained in R.I.G.L. §§11-37.1-10(d), effective July 1, 2020.
- d. "Boundaries" refers to the exact boundaries:
 - a. around each school or supporting property (including "the real property that supports or upon which there exists a school") meeting the definition of the 2020 Restriction in determining the parcel shape and measurement of the 1000-foot limitation

- b. around the residence (including “the real property supporting the residence of the person”) of each level 3 sex offender subject to the 2020 Restriction in determining the parcel shape and measurement of the 1000-foot limitation
- e. “State” or “Defendants” means the defendants, in their official capacities, as well as State agencies, including but not limited to Department of Attorney General, State Police, Department of Corrections, Department of Education, and Department of Children, Youth and Families.

Interrogatories

15. In follow up to your answers to interrogatories 9, 11, 12, and 14, please clarify the determination of the land or parcel(s) associated with or supporting a “school” and associated with or supporting a “residence” as to these examples:

- a) What are the precise boundaries, within meaning of the 2020 Restriction, for the Moses Brown School in Providence? The following facts and sub-questions are provided:
 - At page 12 of Exhibit A to the State’s Supp. Responses to Plaintiffs’ Second Set of Interrogatories, provided 10/27/20, you list Moses Brown School at 250 Lloyd Avenue in Providence, as PK-12.
 - A search of the Tax Assessor database for Providence on 11/16/20 does not produce a parcel at 250 Lloyd Avenue. That address is part of a parcel known as 284 Lloyd Avenue that is owned by the NE Yearly Meeting of Friends and has a few buildings that may be related to classroom instruction, but appears to be mostly sports fields. Is 284 Lloyd Avenue the correct parcel and boundaries of the school, or is another parcel the school, are multiple parcels the school, or are the boundaries of the Moses Brown School different than a parcel?

- Most of the Moses Brown Buildings appear to be in a larger separate parcel to the west at 212 Lloyd Ave owned by Moses Brown School Inc. (elsewhere identified as Moses Brown Facilities LLC) with 11 buildings. Is 212 Lloyd Avenue the correct parcel for the school? If some buildings on this parcel are only for administrative use, is the entire parcel still considered a part of the school within the meaning of the 2020 Restriction?
 - A separate parcel at 245 Hope Street is owned by NE Yearly Meeting of Friends and bears the Moses Brown sign and fencing with the class years. Moses Brown School is listed as the owner of parcels at 255 Hope and 305 Hope Street. Are these parcels a part of the school within the meaning of the 2020 Restriction?
 - To the west of 212 Lloyd are a number of smaller parcels that appear to be a part of the school that are owned by NE Yearly Meeting of Friends. Are these parcels a part of the school within the meaning of the 2020 Restriction?
 - Please state whether a school may consist of more than one parcel, and, if so, how one is to make that determination based on the address information provided in Exhibit A?
- b) What are the precise boundaries, within meaning of the 2020 Restriction, for the Joseph L. McCourt Cumberland Middle School, with the mailing address of 45 Highland Avenue, Cumberland RI 02864? (See Figure 10 of the Report of Peter Wagner of January 2018 for the 21 parcels (plus the road network) that are physically underneath the school and 91 possible parcels plus the road network that appear to be supporting the school).
- c) What are the precise boundaries, within meaning of the 2020 Restriction, for the St. Paul's School in Cranston, RI, with the mailing address of 1789 Broad Street, Cranston RI 02905?

(Is it the parcel labeled C in Figure 12 of the Report of Peter Wagner of January 2018, the parcels labeled A, B, C, D, and E, or some other area?)

- d) What are the precise boundaries, within the meaning of the 2020 Restriction, of the DCYF Alternative Education Program that the Attorney General states has a mailing address of 57 Power Road Cranston RI 02920? Is it the entirety of the parcel known to the city of Cranston as 0 Howard Avenue (GIS_ID 14-5, Property ID 14-5-0, where the owner is listed by the City as “STATE OF RHODE ISLAND 39 HOWARD AV - BUSSINESS OFFIC, ATTN NANCY LEFORT, CRANSTON, RI 02920”) or are the boundaries some other area than this parcel?
- e) What are the precise boundaries, within meaning of the 2020 Restriction, of the residence/shelter known as Harrington Hall with a mailing address of 30 Howard Avenue Cranston? Is it the entirety of the parcel identified by the City of Cranston as 40 [Forty] Howard Avenue, or some other area?
- f) What are the precise boundaries, within meaning of the 2020 Restriction, of the residence with the mailing address 26 Greenwich West, West Greenwich, RI? As described at <https://data.nereval.com/PropertyDetail.aspx?town=West%20Greenwich&accountnumber=487&card=1>; this property is a trailer that does not contain any land outside or underneath the trailer, but as Chief Richard Ramsay explained in his deposition of December 21, 2015, this property leases land from the larger trailer park. Assuming that Chief Ramsay is correct on this fact, what are the boundaries within the meaning of the 2020 Restriction, of the mailing address at 26 Greenwich West?
- g) What do the Defendants consider to be the precise boundaries, within the meaning of the 2020 Restriction, of a residence of a homeless person, such as Bent H. Bentsen, listed as

“homeless” in Providence, RI (no zip code), and Edward L. Curry and Kyle L. Pettis, each listed as “homeless” in Pawtucket, RI zip code 02860, in Exhibit C to your response to interrogatory 12 served December 18, 2019, with no additional information as to street, public or private field or campground, marker, or intersection.

By their attorneys,

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Cooperating counsel,
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF RHODE ISLAND

CERTIFICATION

I hereby certify that a copy of the within document was served by email upon counsel for defendants, below-listed, on November 19, 2020:

Andrea Shea
Lauren Hill
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Providence, RI 02903-2907

/s/ Lynette Labinger
Lynette Labinger #1645

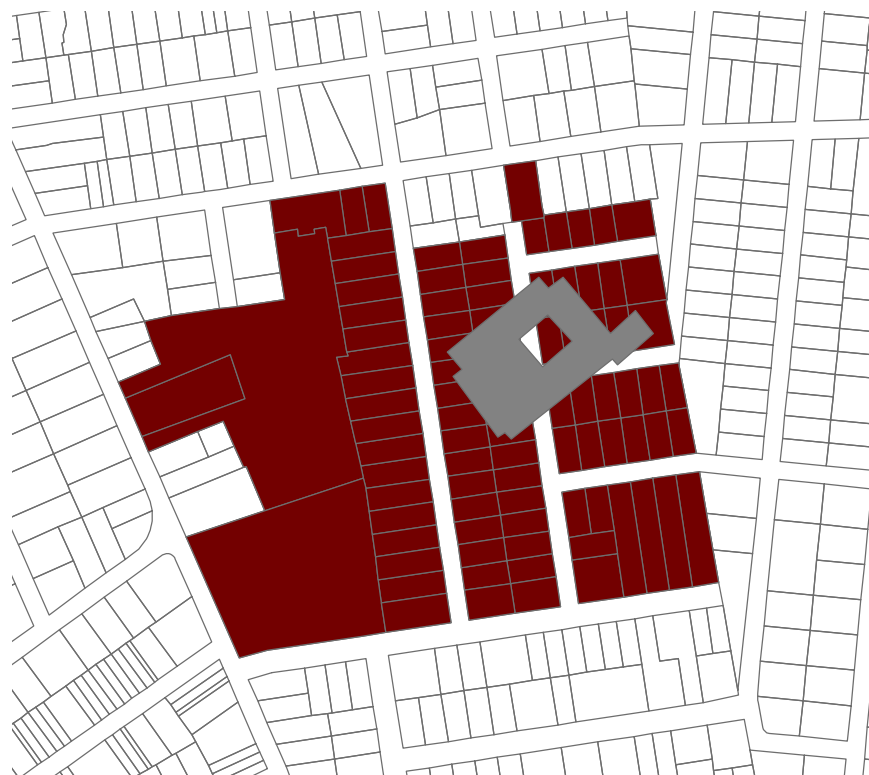


Figure 10. *A school may consist of multiple parcels, and those parcels may be bisected by roads or other obstructions. Here the McCourt Cumberland Middle School consists of many parcels, as the school was built on land apparently originally subdivided for residential purposes.*

Figure 10 from P. Wagner report

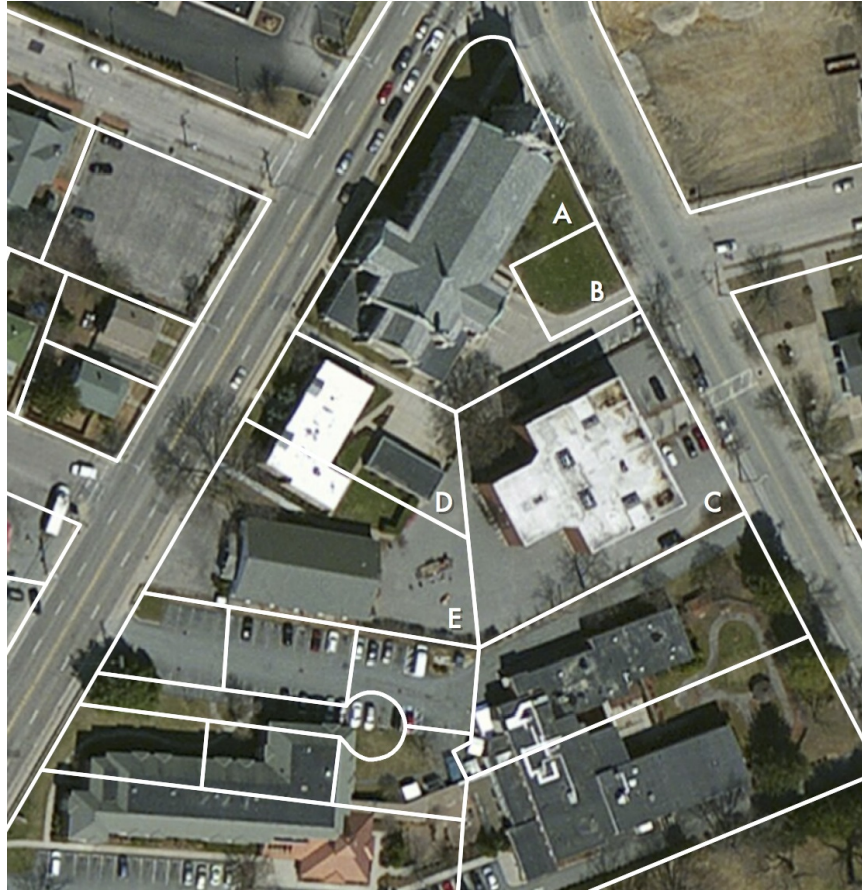


Figure 12. *These five lettered parcels are all owned by St. Paul's Church of Edgewood in Cranston. St. Paul's School is located in Parcel C. I chose to label only Parcel C as a school, but an argument could easily be made that A through E are all a part of the school. (The church in Parcel A is likely sometimes used for school purposes, and the parking lot in D and E appears to be used for school purposes including children playing.) Expanding the size of the school would render additional parts of Cranston off-limits under SORNA.*

Figure 12 from P.Wagner report